

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, May 20, 2003, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth, Interim CEO
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Campbell, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Silva, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Wilson presented a resolution proclaiming May 18-24, 2003 as Emergency Medical Services Week

Chairman Wilson presented a resolution proclaiming May 2003 as Foster Family Month

Chairman Wilson presented resolutions commending several County employees from Auditor Controller, CEO & Agency Information Technology and County vendors on receiving 2003 AIIM International Best Practices Award for implementing Electronic Report Management and Imaging system

II. CONSENT CALENDAR (Items 1-41)

21345 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 19 & 38 WHICH WERE CONTINUED TO 6/3/03, 9:30 A.M.; AND ITEM 40 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

S U M M A R Y A C T I O N M I N U T E S

BOARD APPOINTMENTS

1. **Supervisor Smith** - Housing & Community Development Commission - Reappoint Margie L. Rice, Westminster, for term ending 6/30/05
2. **Chairman Wilson** - Airport Land Use Commission - Remove Tom Naughton, Newport Beach, effective immediately; and direct the Clerk to post notice of vacancy

COMMENDATIONS/PROCLAMATIONS

3. **Supervisor Silva** - Adopt resolution recognizing and congratulating Oak View Preschool and Education Resource Center on being awarded the 2003 Peter A. Hartman Award for Excellence by The Children and Families Commission
RESO: 03-167

Supervisor Smith:

4. Adopt resolution recognizing Carmelita Stone Whitehead of Santa Ana on her 100th birthday on May 23
RESO: 03-168
5. Adopt resolution recognizing Maria Cristina McShea on being named Woman of the Year by Hispanic Business Women Association of Orange County
RESO: 03-169
6. **Chairman Wilson** - Adopt resolution recognizing and commending Clear Channel Outdoor for their generous contribution and continued support in making Orange County Alcohol, Tobacco, Other Drug, and Violence Prevention Poster and Creative Writing Contest a success
RESO: 03-170

Supervisor Norby:

7. Adopt resolution honoring students recognized by Orange County Chapter of California Association of Regional Occupational Centers and Programs
RESO: 03-171
8. Adopt resolution honoring Janice Billing, Ph.D. Superintendent of Anaheim Union High School District
RESO: 03-172
9. **Supervisor Campbell** - Adopt resolution proclaiming May 2003 as Motorcycle Awareness Month
RESO: 03-173

HEALTH CARE AGENCY

10. Approve agreements with Chapman University, 5/20/03 - 1/31/08 and The Trustees of the California State University, on behalf of California State University - Long Beach, 5/20/03 - 11/30/07 for clinical education program services - All Districts

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11. Approve amended letter of agreement with California Family Health Council, Inc. for integration of HIV/AIDS prevention services, 9/1/02 - 8/31/03 (\$21,337; new total \$180,337) - All Districts

HOUSING AND COMMUNITY DEVELOPMENT

12. Approve revised standardized contracts and special provisions for various U.S. Department of Housing and Urban Development program funding allocations, effective FY 2003-04; and authorize Director or designee to execute individual contracts, provisions and certain amendments - All Districts
13. **Acting as the Board of Supervisors and Orange County Housing Authority** - Authorize submission of grant applications to U.S. Department of Housing and Urban Development for SuperNOFA, FY 2003; and authorize Director or designee to execute certifications and related documents - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

14. Approve quitclaim deeds with Serrano Water District, Irvine Ranch Water District and The Irvine Company for old power line easements, Santiago Canyon Landfill - District 3
15. Approve license agreement with Calvary Chapel of the Canyons for rent-free use of property to conduct household hazardous waste collection event, Silverado area, 6/6/03 - 6/9/03; and make California Environmental Quality Act findings - Districts 3 & 5
16. Authorize Director or designee to execute Part IV, Donee Acknowledgement of IRS Form 8283 acknowledging property donated by The Irvine Company through gift deed and grant of easements, Santiago Canyon Landfill - District 3
17. Approve agreement with SCS Engineers to provide waste characterization study, Olinda Alpha, Frank R. Bowerman and Prima Deshecha landfills (\$396,996) - District 3
18. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for recent sudden and unexpected movement in landslide mass and necessary emergency repair to complete work, Frank R. Bowerman landfill; set review to determine continuing need for emergency action for 6/3/03, 9:30 a.m. and every 14 days thereafter - District 3 (4/5 vote)
(Continued from 9/10/02, Item 61; 9/24/02, Item 64; 10/8/02, Item 6; 10/22/02, Item 13; 11/5/02, Item 17; 11/19/02, Item 12; 12/10/02, Item 17; 12/17/02, Item 23; 1/7/03, Item 1; 1/14/03, Item 21; 1/28/03, Item 12; 2/11/03, Item 6; 2/25/03, Item 9; 3/11/03, Item 9; 3/25/03, Item 8; 4/8/03, Item 11; 4/29/03; Item 13; 5/13/03, Item 4)

JOHN WAYNE AIRPORT

19. Approve amended agreement with Parking Concepts, Inc. to eliminate tram service in parking structures; authorize one-time reimbursement (\$17,624.34); increase billing rates in three employee categories; and make California Environmental Quality Act and other findings - District 2

21345 **CONTINUED TO 6/3/03, 9:30 A.M.**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

20. Receive bids and award contract to Best Roofing & Waterproofing, Inc. for replacement of roof, Public Defender Headquarters, Santa Ana (\$97,960) - District 1

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21. Approve cooperative agreement D03-044 with Capistrano Unified School District and Whispering Hills, LLC for use of La Pata Avenue for development and use of a high school and private property; and make California Environmental Quality Act findings - District 5
22. Approve price agreement N1000005142 with Coastal Building Services, Inc. for janitorial services at Orange County Law Library, 6/1/03 - 5/31/04 (\$37,548 per year); renewable for two additional years - District 1
23. Approve price agreement N1000005147 with Coastal Building Services, Inc., for janitorial services at County Data Center, 6/1/03 - 5/31/04 (\$42,000 per year); renewable for two additional years - District 1
24. Approve agreement D03-028 with Hebert Management Associates, Inc. for production of Dana Point Harbor Boat Show for 2003 and 2004 - District 5
25. Approve agreement D03-003 with Trabuco Canyon Water District for street resurfacing purposes for 2003-04; and make California Environmental Quality Act findings - District 3
26. Approve termination of agreement with Primare, Inc. for various projects at MCAS Tustin, effective 5/20/03; and authorize negotiation of close out for Board approval - District 3
27. Approve leases with Aloha Restaurants, Inc. dba Jolly Roger Restaurant and El Torito Restaurants, Inc. for commercial space, Dana Point Harbor; and make California Environmental Quality Act findings - District 5 (Continued from 5/13/03, Item 9)
28. **Acting as the Orange County Flood Control District** - Approve agreement D02-102 with City of Orange for quitclaim, right-of-way and construction funding of Fletcher Street storm drain; and make California Environmental Quality Act and other findings - District 3

SOCIAL SERVICES AGENCY

29. Approve price agreement N1000005128 with GBS Cleaning Services, Inc. for janitorial and day porter services, Orangewood Children's Home, Orange, 6/1/03 - 5/31/04 (\$109,920); renewable for two additional years - District 3

PUBLIC PROTECTION

30. **District Attorney** - Adopt resolution approving agreement with State Victim Compensation and Government Claims Board for continued participation in State Restitution Program, 7/1/03 - 6/30/04 (\$115,834.72); authorize District Attorney or designee to execute subsequent amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts
RESO: 03-174
31. **Probation** - Approve price agreement N1000005168 with Sapphire Technologies, Inc. for information technology temporary help services, 3/20/03 - 2/29/04 (\$55,000) - All Districts

Sheriff-Coroner:

32. Authorize use of County vehicles for transporting children participating in "Wilderness 2003" mentoring program on 6/7/03; and make appropriate findings - District 3

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33. Approve license agreement with Seal Beach for use of Sheriff's Katella Firing Range for training purposes; and make California Environmental Quality Act findings - District 3
34. Approve price agreement N1000005203 with Computer Deductions, Inc. for consultant services, Countywide Integrated Law & Justice System, 5/20/03 - 6/30/03 (\$65,000) - All Districts
35. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for replacement of water-damaged walls and floors to stop water leakage from dishwashing operations and to correct unhealthful and unsafe conditions, Theo Lacy Jail kitchen; set review on 6/3/03, 9:30 a.m., and every 14 days thereafter - District 3 (4/5 vote) (Continued from 11/19/02, Item 90; 12/10/02, Item 48; 12/17/02, Item 61; 1/7/03, Item 5; 1/14/03, Item 63; 1/28/03, Item 31; 2/11/03, Item 20; 2/25/03, Item 37; 3/11/03, Item 21; 3/18/03, Item 18; 3/25/03, Item 18; 4/8/03, Item 36; 4/29/03, Item 53; 5/13/03, Item 16)
36. Approve plans and specifications and set bid opening for 6/4/03, 2:00 p.m., for maintenance, repair and restoration of third floor scullery, Central Men's Jail; and make California Environmental Quality Act findings - District 1

GENERAL ADMINISTRATION

37. **Auditor-Controller - Acting as Board of Supervisors and Orange County Flood Control District -** Set 6/17/03 as date to establish appropriations limits for entities governed by County Board of Supervisors for FY 2003-2004 (document available for public review in the Office of the Auditor Controller, commencing 6/2/03) - All Districts

County Executive Office:

38. Approve amended price agreement N1000004280 with Tetra Tech ISG for professional and technical services for Water and Environmental program, term ending 12/31/03 (\$50,000; new total \$193,000) - All Districts
- 21345 **CONTINUED TO 6/3/03, 9:30 A.M.**
39. Approve closure of Fund 13K, LRA Operations, and transfer of residual balance to County General Fund as of 6/30/03 and closure of Fund 14M, Local Redevelopment Authority, immediately with transfer of residual balance to John Wayne Airport, Fund 280; and authorize CEO and Auditor-Controller to take all related budgetary and interfund transfer actions necessary - All Districts
40. Approve price agreement N1000005133 with Mercer Investment Consulting for defined contribution and extra help employees defined benefit programs services, 5/12/03 - 5/11/04 (\$155,000) - All Districts (Continued from 5/6/03, Item 29; 5/13/03, Item 22)
- 34125 **APPROVED EXTENSION OF AGREEMENT WITH MERCER INVESTMENT CONSULTING FOR A PERIOD NOT TO EXCEED SIX MONTHS AND DIRECTED STAFF TO GO OUT TO BID ON THIS MATTER AND RETURN TO THE BOARD FOR APPROVAL**

S U M M A R Y A C T I O N M I N U T E S

41. **Chairman Wilson** - Adopt resolution exempting small charitable and volunteer organizations whose sole purpose is to support County facilities and programs from specific provisions of Resolution 02-257 and delegating to the County Risk Manager the authority to reduce or waive their insurance requirements
RESO: 03-175

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 42-S63C)

HEALTH CARE AGENCY

42. Approve amended agreement 30 (02/03) with State Department of Alcohol and Drug Programs for alcohol drug abuse and treatment prevention services, FY 2002-03 (\$200,479; new total \$22,373,568) - All Districts

13245 **APPROVED AS RECOMMENDED**
X

43. Approve agreement (\$1,159,523) and amended agreement (\$28,605; new total \$1,188,128) with Emergency Medical Services Authority for allocation of trauma funds to various hospitals; approve agreement with and authorize submission of FY 2002-03 Description of Proposed Expenditures to State Department of Health Services for California Healthcare for Indigents Program (\$2,093,619); approve master agreement with various hospitals for provision of Indigent and Trauma Care services, FY 2002-03; and authorize Director or designee to execute individual agreements and related documents - All Districts

31245 **APPROVED AS RECOMMENDED**
X

INTEGRATED WASTE MANAGEMENT DEPARTMENT

44. Approve change order 4 to agreement with Reyes Construction for additional emergency work, Frank R. Bowerman landfill (\$190,887.58; new total \$3,380,718.44) - District 3

31245 **APPROVED AS RECOMMENDED**
X

ORANGE COUNTY PUBLIC LIBRARY

45. Approve agreement with Capistrano Unified School District for construction and joint-use library facility, Ladera Ranch area, 50 year term (\$1,500,000); authorize negotiation of lease with Capistrano Unified School District for operation of library facility; and return to the Board for approval - District 5

54123 **APPROVED AS RECOMMENDED**
X

PLANNING AND DEVELOPMENT SERVICES

46. Receive and file Financial Status Report - All Districts (Continued from 3/11/03; Item 14; 3/18/03, Item 13; 3/25/03, Item 10; 4/1/03, Item 29; 4/8/03, Item 47; 4/29/03, Item 70; 5/6/03, Item 39; 5/13/03, Item 27)

31245 **APPROVED AS RECOMMENDED**
X

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

47. Select Huitt-Zollars as primary and LSA Associates as alternate firms for preparation of environmental documentation and project report for La Pata Avenue Gap Closure Project; and authorize negotiation of agreement for Board approval - District 5

51234 **APPROVED AS RECOMMENDED**
X

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48. Approve master agreements with various firms for contract administrator-project management services (\$500,000 each agreement); and authorize purchasing agent or designee to execute related sub-agreements - All Districts
41235 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

49. **Acting as the Board of Supervisors and OC In-Home Supportive Services Public Authority -** Approve Interagency agreement, 7/1/03 - 6/30/04; Acting as Orange County In-Home Supportive Services Public Authority-Approve personnel policies and procedures - All Districts
35124 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

50. **Probation -** Approve price agreement N4000002756 with BI Incorporated for lease of equipment/hardware and off-site centralized monitoring services for Juvenile Offender Supervised Electronic Confinement Program, 6/1/03 - 5/31/04 (\$140,000); renewable for one additional year - All Districts
15234 **APPROVED AS RECOMMENDED**
X
51. **Sheriff-Coroner -** Adopt resolution approving submission of grant application to State Office of Criminal Justice Planning for Anti-Drug Abuse Enforcement Program funds and related documents, FY 2003-04 (\$1,186,308); and make required findings - All Districts
13245 **APPROVED AS RECOMMENDED**
X
RESO: 03-176

GENERAL ADMINISTRATION

52. **Auditor-Controller -** Select Macias, Gini & Company LLP as primary and Caporicci & Larson as alternate firms for independent auditing and related services, FYs 2003-05; renewable for two additional years and authorize negotiation of contract for Board approval - All Districts
51234 **APPROVED AS RECOMMENDED**
X
53. **Clerk of the Board -** Approve amendment 4 to agreement with SouthTech Systems, Inc. for system enhancements and implementation services for the Comprehensive Agenda Management Solution system, extending term to 12/31/03 (\$100,000; new total \$610,000) - All Districts
51234 **APPROVED AS RECOMMENDED**
X

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County Executive Office:

54. Approve FY 2002-03 Third Quarter Budget Report and related budget adjustments; amend master position control and approve conversion of \$8 million loan from General Fund to Building and Safety Fund (113) to operating transfer without interest - All Districts (*R.A. #1 and #4 4/5 vote*)
14235 **APPROVED RA #1 AS RECOMMENDED**
- 31245 **APPROVED RA #2 AS RECOMMENDED**
- 42135 **APPROVED RA #3 AS RECOMMENDED**
- 43125 **APPROVED RA #4 AS RECOMMENDED**
55. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
41235 **RECEIVED AND FILED STATUS REPORT**
X
56. Authorize feasibility study to analyze issuing Pension Obligation Bonds; and approve selection of finance team - All Districts
34125 **CONTINUED TO 6/3/03, 9:30 A.M.**
X
57. Receive and file Feasibility Report for Orange County Newport Coast Assessment District 01-1 Fixed Rate Series 2003B Bonds; direct staff to proceed with preparation of financing documents; approve in concept proposed financing - District 5
51234 **APPROVED AS RECOMMENDED**
X
58. Approve FY 2003-04 Retirement Contribution Rates - All Districts
B.O. **DELETED**
59. Acting as the Orange County Development Agency - Approve agreement with Newport Beach for construction of a fire station in Santa Ana Heights Redevelopment Project Area - District 2
B.O. **CONTINUED TO 6/3/03, 9:30 A.M.**
60. Approve Fire Protection agreement with State Department of Forestry and Fire Protection for fire services within State Responsible Areas; and approve amended agreement for assignment of agreement to Orange County Fire Authority - All Districts
13245 **APPROVED AS RECOMMENDED**
X
61. Receive and file report on In-Home Supportive Services Program - All Districts
31245 **RECEIVED AND FILED REPORT**
X
62. **Supervisor Campbell** - Approve legislative program and procedures - All Districts (Continued from 5/6/03, Item 46)
B.O. **CONTINUED TO 6/3/03, 9:30 A.M.**

S U M M A R Y A C T I O N M I N U T E S

EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

63. Receive and file report; approve and adopt resolution with Tustin accepting Master Property Tax agreement 80-1903 for the Bonner Drive annexation (IA 20-10) in Tustin - District 3

31245 **APPROVED AS RECOMMENDED**

X

RESO: 03-177

GENERAL ADMINISTRATION

- S63A. **County Executive Office** - Approve proposed response to FY2002/2003 Grand Jury Report "Proposition 10 Spotlight"

31245 **APPROVED AS RECOMMENDED**

X

- S63B. **Supervisor Norby** - Adopt resolution recognizing Troy High School Olympiad team on their National Science Olympiad Championship

43125 **APPROVED AS RECOMMENDED**

X

RESO: 03-178

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- S63C. Approve agreement with GKK Corporation for programming of New South Court Facility and site master planning, South County Civic Center (\$200,000) - District 5

51234 **APPROVE RECOMMENDED ACTIONS WITH DIRECTION FOR STAFF TO AMEND SCOPE TO REMOVE RESTRICTION THAT NO USE OF EXISTING FACILITY FOR THE 14 COURTROOMS SHOULD BE CONSIDERED IN DEVELOPING OPTIONS FOR EXPANSION OF SOUTH COURT**

X

IV. PUBLIC HEARINGS (Item 64)

GENERAL ADMINISTRATION

64. **County Executive Office - Acting as Orange County Development Agency** - Public Hearing to take public testimony on progress of Second Five-Year Implementation Plan for Santa Ana Heights and Neighborhood Development and Preservation Project Areas - All Districts

B.O. **CLOSED PUBLIC HEARING**

25134 **APPROVED AS RECOMMENDED**

V. CLOSED SESSION (Items CS-1-SCS-2)

- CS-1. **County Executive Office** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:

Agency Negotiator: Susan Paul

Employee Organizations: United Domestic Workers of America, AFSCME, AFL-CIO, In-Home Supportive Services

B.O. **HELD, NO REPORTABLE ACTION**

S U M M A R Y A C T I O N M I N U T E S

SCS- **County Counsel - PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
2. Pursuant to Government Code Section 54957.6
 Position: Interim County Executive Officer
B.O. **HELD, NO REPORTABLE ACTION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Wayne Quint - Oral Re: Concerns regarding recent grand jury report involving HR's negotiation of employee benefits and request for fact finding process

Alma Ramirez - Oral Re: Concerns regarding justice court discrimination issues

BOARD COMMENTS:

Chairman Wilson - Oral Re: Congratulated San Clemente High School Surfing Team on their 1st & 2nd place wins at this year's state competition

Supervisor Norby - Oral Re: Encourages anyone who wishes to provide the Board with written information and input to Grand Jury Reports prior to the Board submitting their required responses

ADJOURNED: 1:07 P.M.

35124 Adjourned in memory of Ethel Swanger
 X

15234 Adjourned in memory of Janie Miller
 X

*** KEY ***

Left Margin Notes

- 1. √ Supervisor Smith
- 2. √ Supervisor Silva
- 3. √ Supervisor Campbell
- 4. √ Supervisor Norby
- 5. √ Chairman Wilson

- A. √ Abstained
- X. √ Excused
- N. √ No
- BO √ Board Order

Right Margin Notes

- O. √ Ordinance
- R. √ Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board